

P Book 90 pg 12

BK 1329 PG 0078

STATE MS.-DE SOTO CO.  
FILED

MAY 18 4 53 PM '01

BK 90 PG 12  
W.E. CLK.

STATE MS.-DE SOTO CO.  
FILED

MAY 18 4 51 PM '01

BK 1329 PG 78  
W.E. CLK.

**WHEN RECORDED**  
**PLEASE RETURN TO:**  
*Alison S. Woodrow, Esq.*  
*King & Spalding*  
*191 Peachtree Street*  
*Atlanta, Georgia 30303-1763*

**CROSS REFERENCE:**  
*Book 1088, page 458; Book 1120,*  
*page 0333; Book 80, page 397;*  
*Book 81, page 463; Book 81, page 226;*  
*Book 81, page 233; Office of the Chancery*  
*Clerk, DeSoto County, Mississippi.*

RELEASE OF  
DEED OF TRUST AND SECURITY AGREEMENT AND FIXTURE FILING,  
ASSIGNMENT OF LEASES AND RENTS, AND  
SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN'T AGREEMENTS

THIS ORDER, made as of the 22 day of January, 2001 by PNC BANK, NATIONAL ASSOCIATION, a national banking association, (herein called "Lender");

WITNESSETH: That,

WHEREAS, Lender is the owner and holder of (i) that certain Deed of Trust and Security Agreement and Fixture Filing (herein called the "Deed of Trust") dated February 17, 1999 given by Value Enhancement Fund II, LLC (herein called "VEF"), a Georgia limited liability company, to Lender and recorded on March 3, 1999 at Book 1088, page 458, re-recorded at Book 1120, page 333, Office of the Chancery Clerk of DeSoto County, Mississippi, (ii) that certain Assignment of Leases and Rents (herein called the "Assignment") given by VEF to Lender and recorded on March 3, 1999 at Book 80, page 397, re-recorded at Book 81, page 463, aforesaid records, (iii) that certain Subordination, Non-Disturbance and Attornment Agreement (herein called the "Walgreen SNDA") by and between Walgreen Co., an Illinois corporation, as Tenant and PNC Bank, National Association, as Lender, recorded at Book 81, page 226 and (iv) that certain Subordination, Non-Disturbance and Attornment Agreement (herein called the "Seessel SNDA") by and between Seessel Holdings, Inc., VEF and Lender, recorded at Book 81, page 233, aforesaid records (the "Walgreen SNDA" and the "Seessel SNDA" are hereinafter collectively called the "SNDAs") (the Deed of Trust, the

Assignment, the SNDAs and all other related loan documents securing the indebtedness secured thereunder are sometimes herein collectively called the "Loan Documents") which Loan Documents encumber the property more fully described on Exhibit A attached hereto and incorporated herein (the "Property"); and

WHEREAS, the indebtedness evidenced and secured by the Loan Documents was paid in full on or about the date hereof; and

WHEREAS, Lender desires to cancel, release, discharge, satisfy and terminate the Loan Documents of record.

NOW, THEREFORE, Lender, being the sole present record holder and owner of the Loan Documents, including, without limitation, the Deed of Trust, the Assignment and the SNDAs, has cancelled, released, discharged, satisfied and terminated, and does hereby cancel, release, discharge, satisfy and terminate, in their entirety, the Deed of Trust, the Assignment, the SNDAs and the indebtedness secured thereby, and the Clerk of the Chancery Court of Desoto County, Mississippi, is hereby authorized, directed and ordered to cancel the Deed of Trust; the Assignment and the SNDAs of record.

IN WITNESS WHEREOF, Lender has set its hand and seal on the day and year first written above.

WITNESS/ATTEST:

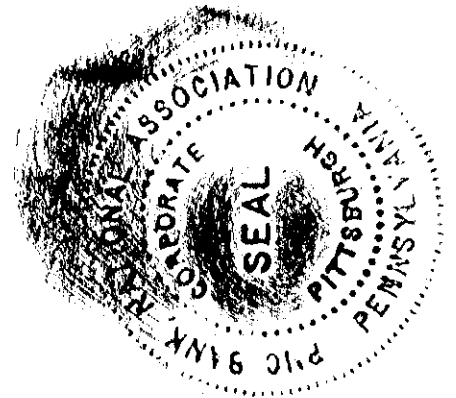
  
Title: Vice President

LENDER:

PNC BANK NATIONAL ASSOCIATION

By: 

[BANK SEAL]



STATE OF PENNSYLVANIA

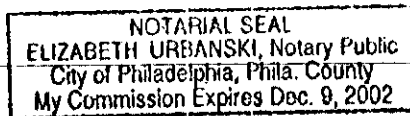
COUNTY OF Phila.

Personally appeared before me, Andrew A. Coler, a Notary Public in and for said State and County, duly commissioned and qualified, Andrew A. Coler, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Vice President of PNC BANK, NATIONAL ASSOCIATION, a national banking association, the Lender and is authorized by Lender to execute this instrument on behalf of Lender.

WITNESS my hand and seal at office on this the 22 day of January, 2001.

Elizabeth Urbanski  
Notary Public

My Commission Expires:



Debtor: VALUE ENHANCEMENT FUND II, LLC  
Secured Party: PNC BANK, NATIONAL ASSOCIATION, AS AGENT

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**EXHIBIT A**  
**LEGAL DESCRIPTION**

13.34 acres, more or less, located in the Northeast quarter of the Northeast quarter of Section 31, Township 1 South, Range 7 West, Southaven, DeSoto County, Mississippi, being more particularly described as follows:

Beginning at the accepted Northeast corner of Section 31, Township 1 South, Range 7 West; thence South 00 degrees 15 minutes 35 seconds East, 245.07 feet with the centerline of Swinnea Road to a point; thence North 89 degrees 00 minutes 24 seconds West, 53.00 feet to an iron pin (found), said point being the true point of beginning for the herein described tract; thence South 00 degrees 15 minutes 35 seconds East, 525.95 feet to an iron pin (found); thence North 88 degrees 59 minutes 57 seconds West, 637.35 feet with the Northerly line of Southern Pines (PB 21, Pg. 43-46) to an iron pin (found); thence South 08 degrees 35 minutes 05 seconds West, 52.15 feet to an iron pin (found); thence South 03 degrees 30 minutes 50 seconds West, 57.04 feet to an iron pin (found); thence South 89 degrees 37 minutes 40 seconds West, 159.95 feet to an iron pin (found); thence South 00 degrees 26 minutes 25 seconds East, 31.69 feet to a pk nail (found) in the centerline of Southern Pines Drive; thence South 89 degrees 37 minutes 45 seconds West, 221.29 feet along the North line of Southern Pines Subdivision to an iron pin (found) in the East line of Lot 2, Southaven Commons Subdivision; thence North 00 degrees 05 minutes 15 seconds West, 75.95 feet with the East line of Lot 2, Southaven Commons Subdivision to an iron pin (found); thence North 89 degrees 54 minutes 45 seconds East, 126.83 feet to an iron pin (found); thence North 00 degrees 05 minutes 15 seconds West, 147.83 feet to a p.k. nail (found); thence South 89 degrees 05 minutes 13 seconds East, 6.72 feet to a p.k. nail (found); thence North 00 degrees 54 minutes 47 seconds East, 638.98 feet to an iron pin (found) in the South right-of-way of Goodman Road (Mississippi Highway No. 302); thence along the South right-of-way of said road South 89 degrees 00 minutes 00 seconds East, 407.78 feet to an iron pin (found); thence South 01 degrees 00 minutes 00 seconds West, 217.99 feet along the West line of Lot 4, Southaven Commons Subdivision to an iron pin (found); thence South 89 degrees 00 minutes 00 seconds East, 269.33 feet along the South line of Lot 4 to an iron pin (found); thence North 00 degrees 59 minutes 36 seconds East, 28.13 feet along the East line of Lot 4 to an iron pin (found); thence South 89 degrees 00 minutes 24 seconds East, 10.00 feet to an iron pin (found) in the East line of Lot 4; thence South 89 degrees 00 minutes 24 seconds East, 200.08 feet to the true point of beginning containing 13.34, more or less, acres of land.

727022

Accepted Filing: 01298470 [Invoice: 448812]

After Recording, Return To:  
Holcomb Dunbar, P.A.  
P.O. Box 190  
Southaven, MS 38671  
601.349.0664  
File No. 900249 Initials wlg

BK1329PG0081